

HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIELLE GOLDEN, an individual;
JULIE MABE, an individual;; DEANA
CARTER-GARCIA, an individual;
MARTHA CHRISTINE CORNELL, an
individual; and CHRISTINA TERRY, an
individual,

Plaintiffs,

v.

DEPARTMENT OF SOCIAL AND
HEALTH SERVICES,

Defendant.

No. 2:24-cv-02008-RSM

STIPULATED MOTION AND
ORDER FOR VOLUNTARY
DISMISSAL OF PLAINTIFFS'
COMPLAINT

NOTE ON MOTION CALENDAR:
JANUARY 29, 2025

STIPULATION

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs Danielle Golden, Julie Mabe, Deana Carter-Garcia, Martha Christina Cornell, and Christina Terry, and Defendant Washington State Department of Social and Health Services ("DSHS") (collectively, the "Parties"), by and through their undersigned attorneys, hereby agree and stipulate as follows:

1. On December 5, 2024, Plaintiffs initiated this lawsuit, asserting one federal claim and five Washington state claims against DSHS. Dkt. # 1.

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2. On January 6, 2025, DSHS moved to dismiss Plaintiffs' Complaint under Federal Rule of Civil Procedure 12(b)(1) because each of Plaintiffs' claims is barred by DSHS' immunity under the Eleventh Amendment. Dkt. # 9.

3. In lieu of a response to DSHS's motion, Plaintiffs proposed a voluntary dismissal with prejudice of their federal claim and a voluntary dismissal without prejudice of their remaining state law claims, which Plaintiffs intend to refile in state court.

4. In the interest of judicial economy, and to avoid potentially unnecessary litigation costs for the Parties, DSHS agreed to Plaintiffs' proposed voluntarily dismissal, but without waiving its right to assert any affirmative defenses in response to Plaintiffs' refiled state law claims, including but not limited to the defense that Plaintiffs' state law claims are time-barred.

5. As a result, the Parties hereby agree to entry of an order dismissing Plaintiffs' federal claim with prejudice and dismissing Plaintiffs' state law claims without prejudice, and with each party to bear its own attorney fees, costs, and expenses. In agreeing and stipulating to this voluntary dismissal of Plaintiffs' claims, DSHS expressly preserves its right to assert any affirmative defenses in response to Plaintiffs' refiled state law claims.

STIPULATED to this 29th day of January, 2025.

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s/ Kai A. Smith

s/ Corbin O. Earl

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Department of Social and Health Services

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ORDER

IT IS SO ORDERED that this Stipulated Motion for Voluntary Dismissal of Plaintiffs' Complaint is GRANTED. Plaintiffs' federal claim for "Civil Rights Violations" under 42 U.S.C. § 1983 (Sixth Claim for Relief) is hereby DISMISSED WITH PREJUDICE, and Plaintiffs' remaining state law claims are DISMISSED WITHOUT PREJUDICE.

DATED this 29th day of January, 2025.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented by:

PACIFICA LAW GROUP LLP

s/ Kai A. Smith

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Ai-Li Chiong-Martinson, WSBA #53359
Special Assistant Attorneys General
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